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EXAMINER

BATES, KEVIN T

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 09/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/703,888

Applicant(s)

BERKMAN ET AL.

Examiner

Kevin Bates

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This Office Action is in response to a communication made on May 24, 2004.

Claims 1 – 54 are pending in this application.

#### ***Response to Amendment***

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1–35, 40-47, and 50-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Kearns (5946831).**

Regarding claim 1, Kearns discloses a scalable enterprise application collaboration system comprising: a central host including a fault tolerant central registry system (Column 4, lines 20 – 25) having a first central registry and a redundant-central registry (Column 5, lines 16 – 18; Column 13, lines 41 – 44), wherein the central host is configured to manage a plurality of reusable distributed objects (Column 4, lines 26 – 28; lines 33 – 40; Column 7, lines 41 – 43), send configuration change alerts to the plurality of reusable distributed objects (Column 14, lines 42 – 44; Column 8, lines 6 – 8), and provide configuration data to the plurality of reusable distributed objects from one of the first central registry and the redundant central registry is used (Column 14, lines 34 – 38); the plurality of reusable distributed objects, wherein the polarity of reusable distributed objects are in communication with the central host to receive

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configuration change alerts and to download configuration data from the central host's fault tolerant central registry system (Column 14, lines 36 – 44); and a plurality of heterogeneous applications, wherein the plurality of heterogeneous applications are configured to communicate via the plurality of reusable distributed objects in accordance with the configuration data (Column 9, lines 18 – 22; Column 8, line 61 – Column 9, line 14).

Regarding claims 2 and 16, Kearns discloses a method of centrally managing distributed components (Column 4, lines 20 – 25) comprising: storing in a first computer system a central registry database including configuration information related to a distributed component located in a first remote computer system and a second distributed component located in a second remote computer system (Column 4, lines 26 – 40), wherein the first distributed component communicates with a first enterprise application and the second distributed component communicates with a second enterprise application (Column 1, lines 21 – 35); receiving requests from the distributed component in an enterprise application system for configuration information update requests (Column 15, lines 11 – 15); determining configuration changes to be implemented in response to the requests; modifying the central registry database to reflect at least a portion of the configuration changes (Column 5, lines 32 – 40; Column 14, lines 52 – 53); allocating the configuration changes to the corresponding distributed components; and transferring the configuration changes to the corresponding distributed components wherein the configuration changes are implemented in the

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corresponding distributed components (Column 5, lines 36 – 40; Column 15, lines 3 – 6).

Regarding claim 9, Kearns discloses a method of centrally managing distributed components (Column 4, lines 20 – 25) comprising: receiving at a first computer system data translation and messaging configuration information from a configuration information input module wherein the configuration information is accessed and modified by a user and sent to the first computer system (Column 7, line 66 – Column 8, line 10); determining configuration information changes to be implemented in response to the data translation and messaging information (Column 8, lines 8 – 17; Column 7, lines 56 – 65); modifying a central registry database to reflect at least a portion of the configuration changes (Column 5, lines 32 – 37), wherein the central registry database is in the first computer system; allocating the configuration changes to corresponding distributed components located in remote computer systems; and transferring the configuration changes to the corresponding distributed components wherein the configuration changes are implemented in the corresponding distributed components (Column 5, lines 36 – 40).

Regarding claims 23 and 54, Yu discloses a distributed enterprise application integration system (Column 4, lines 20 – 25) comprising: a central control module stored in a first computer (Column 4, lines 20 – 21), the central control module including a central registry database used to store configuration data about a distributed enterprise application system (Column 5, lines 32 – 40), wherein the central control module is configured to process requests for component configuration updates (Column

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15, lines 11 – 15), process changes for the central registry database, and forward component configuration data to a plurality of distributed components (Column 5, lines 36 – 40); and the plurality of distributed components including corresponding component control modules (Column 4, lines 26 – 28), the plurality of distributed components stored on a plurality of computers (Column 14, lines 11 – 13), wherein the plurality of distributed components are configured to communicate with one or more enterprise applications and perform data related and messaging activities in compliance with component configuration data, and wherein the component control modules are configured to implement component configuration data and communicate with the central control module to receive component configuration data (Column 4, lines 33 – 40), send requests for component configuration updates (Column 15, lines 11 – 15), and send changes to the central registry database (Column 14, lines 52 – 53).

Regarding claim 28, Kearns discloses a distributed, multi-platform application integration system (Column 4, lines 11 – 14) comprising: a central host (Column 4, lines 20 – 21) including a central registry system (Column 5, lines 32 – 40); a plurality of application hosts including corresponding control brokers wherein the control brokers are configured to communicate with the central registry system to receive configuration data (Column 4, lines 25 – 36; Column 5, lines 32 – 40); and a plurality of multi-platform applications corresponding to the plurality of application hosts wherein the plurality of multi-platform applications are configured to communicate via the plurality of application hosts in accordance with the configuration data (Column 4, lines 25 – 36).

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Regarding claims 3, 10, 17, 24, and 34, Kearns discloses that the configuration information includes, at least one of, data translation, routing, formatting, scheduling, collaborations, and message identification (Column 4, lines 33 – 35).

Regarding claims 4, 11, 18, 25, and 35, Kearns discloses that the configuration information includes, at least, data translation (Column 9, lines 50 - 52), routing (Column 4, lines 33 – 35), formatting (Column 9, lines 50 - 52), scheduling (Column 4, lines 33 – 35), collaborations (Column 4, lines 33 – 37), and message identification (Column 4, lines 33 – 35).

Regarding claims 5, 8, 14, 15, 21, 22, 26, 27, 30, and 31, Kearns discloses that the central registry database communicates with a plurality of subordinate and duplicate registry databases (Column 12, lines 57 – 64), and the plurality of communication with the distributed components subordinate registry databases are in communication with the distributed components (Column 14, lines 52 – 53).

Regarding claims 6, 12, and 19, Kearns discloses that the configuration information includes data translation and messaging information (Column 9, lines 50 – 52).

Regarding claims 7, 13, and 20, Kearns discloses that the configuration information includes component and business logic connectivity information (Column 4, lines 26 – 28).

Regarding claim 46, Kearns discloses that receiving requests from distributed components in an enterprise application system includes receiving requests from

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distributed components that facilitate communication among enterprise applications (Column 9, lines 37 – 47).

Regarding claim 47, Kearns discloses allocating the configuration changes to the corresponding distributed components includes allocating the configuration changes to a control broker, wherein the control broker includes a broker process and the control broker is associated with a plurality of the one or more enterprise applications (Column 5, lines 36 – 40).

Regarding claim 49, Kearns discloses that the configuration information includes data mapping (Column 7, lines 49 – 55).

Regarding claim 50, Kearns discloses a control broker configured to communicate with one or more of the one or more enterprise applications (Column 4, lines 20 – 25).

Regarding claim 51, Kearns discloses that the control broker includes at least one of a configuration change process, a monitor process, a status process and an alert process (Column 7, line 66 – Column 8, line 1).

Regarding claim 29, Kearns discloses that a plurality of application connectors wherein the plurality of application connectors facilitate communication between the plurality of application hosts and the corresponding plurality of multi-platform applications (Column 4, lines 26 – 28).

Regarding claim 32, Kearns discloses that the central registry system includes: a central registry database that is configured to store configuration information about the plurality of application hosts; and a central registry service that is configured to



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communicate configuration updates to the plurality of application hosts (Column 5, lines 32 – 40).

Regarding claim 33, Kearns discloses that the control broker includes: a local registry database that is configured to store configuration information about at least one of the plurality of application hosts (Column 5, lines 32 – 40); and a monitoring module that is configured to monitor the application host (Column 4, lines 32 – 35).

Regarding claims 40 and 53, Kearns discloses a method for integrating distributed applications (Column 4, lines 14 – 19) comprising: managing requests for configuration changes from at least a first distributed component servicing distributed applications in an enterprise application system (Column 15, lines 11 – 15); collecting configuration change information from a plurality of distributed components related to the requests for configuration changes (Column 14, lines 36 – 44; Column 8, lines 4 – 5); and disseminating the configuration change information related to the requests for configuration changes to one or more of the plurality of distributed components servicing distributed applications (Column 14, lines 53 – 54) wherein at least a first application is executed on a first operating system and a second application is executed on a second operating system wherein the first operating system and the second operating system are not the same operating system (Column 8, line 61 – Column 9, line 4).

Regarding claims 41 and 52, Kearns discloses a method for integrating distributed applications comprising: sending requests for data-related and messaging-related configuration changes from a first host to a central host (Column 15, lines 11 –

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15); receiving at the first host configuration change information from a central host related to the requests for configuration changes; and implementing at the first host data translation and messaging configuration changes according to the configuration change information (Column 5, lines 32 – 40).

Regarding claim 42, Kearns discloses a method of integrating a plurality of multi-platform applications located on a distributed network comprising: providing a plurality of integration modules corresponding to a plurality of multi-platform applications (Column 4, lines 26 – 28), wherein the plurality of integration modules perform data-related and messaging activities enabling communication among the plurality of multi-platform applications (Column 4, lines 26 – 28); and providing a central host module, including a central database of configuration data, wherein the central host module manages and distributes configuration data to the plurality of integration modules (Column 5, lines 32 – 40), wherein the configuration data includes instructions for allowing communication among the plurality of multi-platform applications (Column 4, lines 35 – 41).

Regarding claim 43, Kearns discloses that the central registry database communicates with a plurality of subordinate registry databases (Column 12, lines 57 – 64), and the plurality of communication with the distributed components subordinate registry databases are in communication with the distributed components (Column 14, lines 52 – 53).

Regarding claim 44, Kearns discloses a method of implementing a distributed application communication system comprising: creating a representation of a first set of

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data that is sent from a first independent application to a data translation module, translated into a second set of data, and forwarded to a second independent application; converting the representation into sets of data translation and messaging instructions (Column 9, lines 50 – 58); and distributing the sets of data translation and messaging instructions to a first data translation implementation module communicating with a first independent application and a second data translation implementation module communicating with a second independent application, wherein the first data translation implementation module communicates with the second data translation implementation module in accordance with the sets of data translation and messaging instructions (Column 14, lines 52 – 53; Column 5, lines 32 – 40; Column 1, lines 39 – 47).

Regarding claim 45, Kearns discloses a distributed application integration system comprising: a central host means for representing collective configuration information (Column 4, lines 20 – 28); and a central host means for allocating portions of the collective configuration information to a plurality of application hosts communicate with a plurality of corresponding multi-platform applications and the plurality of application hosts implement the portions of the collective information to enable communication among the plurality of corresponding multiplatform applications (Column 4, lines 26 – 41).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kearns.**

Regarding claims 36, 37, 38, and 39, Kearns discloses a distributed system with a plurality of multi-platform applications (Column 4, lines 14 – 19), but does not explicitly indicate a customer relationship management system, a supply chain management system, an enterprise resource planning system, and a financial management and planning application. Kearns discloses that the multi-platform applications are part of a financial institution that combines many applications (Column 2, lines 14 – 22) that are used by those systems and allow them to communicate independent of the platform and the application protocol (Column 9, lines 18 – 23). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the integration of all the applications that a business/financial institution need to be able to communicate together and are dependent on each others information (Column 4, lines 42 – 51; Column 1, lines 21 – 35).

**Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kearns in view of Butterworth (5457797).**

Regarding claim 48, Kearns discloses having replicated databases and nodes for failover, but does not explicitly indicate the load balancing. Butterworth discloses a multi-platform enterprise application that uses replication for both failover and load balancing (Column 21, lines 23 – 33). It would have been obvious to one of ordinary

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skill in the art at the time the invention was made to use load balancing in Kearns system in order to allow more applications and users to access information in the databases at one time and still maintain the reliability of a replicated system (Column 21, lines 23 – 43).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-54 have been considered but are moot in view of the new ground(s) of rejection.

### ***Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 6256676 issued to Taylor, because it discloses distributed application system with objects and agents for message passing.

U. S. Patent No. 6779184 issued to Puri, because it discloses distributed application system with a central management for message translation.

U. S. Patent No. 5602991 issued to Berteau, because it discloses an application manager and database with configuration information.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (703) 605-0633. The examiner can normally be reached on 8 am - 4:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB

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September 10, 2004

  
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